

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:
1600 Hicks Road LLC,)
Debtor) Bankruptcy No. 22 B 13205

1600 Hicks Road LLC) Chapter 11
Plaintiff) Judge David D. Cleary
v.)
Adv. No. 23 A 00016
EH National Bank)
Defendant)

To: See Attached List

NOTICE OF MOTION

PLEASE TAKE NOTICE that on **February 1, 2023**, at 10:00 a.m., I will appear before the Honorable David D. Cleary, or any judge sitting in that judge's place, **either** in courtroom 644 of the Everett McKinley Dirksen United States Courthouse, 219 S. Dearborn Avenue, Chicago IL 60604, or electronically as described below, and present the attached **Motion for Preliminary Injunction and Shortened Notice**, hereby served upon you.

All parties in interest, including the movant, may appear for the presentation of the motion either in person or electronically using Zoom for Government.

You may appear electronically by video or by telephone.

To appear by video, use this link: <https://www.zoomgov.com>. Then enter the meeting ID.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-828-7666. Then enter the meeting ID and passcode.

Meeting ID and passcode. The meeting ID for this hearing is 161 122 6457 and the passcode is Cleary644. The meeting ID and passcode can also be found on Judge Cleary's webpage on the court's website, <https://www.ilnb.uscourts.gov/content/judge-david-d-cleary>.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without calling it.

CERTIFICATE OF SERVICE

I, David P. Lloyd, an attorney, certify that I caused a copy of the foregoing Notice and Motion to be served on the parties listed on the attached service list by electronic notice where indicated, or by overnight delivery, prior to 5:00 P.M., this 27th day of January, 2023.

/s/ David P. Lloyd

David P. Lloyd

1600 Hicks Road LLC/1600 Hicks Road LLC v. EH National Bank

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Service List

EH National Bank
c/o Shauna Kahan, Managing Director
8484 Wilshire Blvd
Beverly Hills, California 90211
By Overnight Delivery

Heavner, Beyers & Mihlar, LLC
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By Overnight Delivery

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MOTION FOR PRELIMINARY INJUNCTION AND FOR SHORTENED NOTICE

NOW COMES the Plaintiff, 1600 Hicks Road LLC, by and through his attorneys, David P. Lloyd, Ltd., seeking a preliminary injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure and Rule 7065 of the Federal Rules of Bankruptcy Procedure, and in support thereof states as follows:

1. Plaintiff filed its Complaint for Injunction on January 27, 2023. A copy of that Complaint is attached hereto.
2. The Complaint seeks to enjoin Defendant from pursuing collection actions against Anam Qadri and Saleem Qadri, principals of the Debtor.
3. Defendant has obtained a judgment against the Debtor, Anam Qadri, and Saleem Qadri, in Case No. 14 CH 04670, and its motion for approval of a foreclosure sale and entry of a deficiency judgment against the Debtor, Anam Qadri, and Saleem Qadri is scheduled for hearing on February 1, 2023.
3. Unless a preliminary injunction is entered against Defendant, Plaintiff will suffer irreparable harm as the time, attention, and financial resources of Anam Qadri and Saleem Qadri, who manage the operations of the Debtor and also manage its sole tenant, Exotic Motors Inc., will

be diverted from the operations of Exotic Motors, the primary source of the Debtor's income, thereby jeopardizing the Debtor's ability to conduct its business and propose a plan of reorganization.

6. Defendant will not suffer significant harm if the Court enters a preliminary injunction pending resolution of this adversary proceeding. Defendant will retain its claim in this case and its judgment against Anam Qadri and Saleem Qadri.

7. Plaintiff has a reasonable likelihood of prevailing on the merits in this adversary proceeding. The Complaint sets out the benefits to the Debtor and the creditor body and meets all the elements for an injunction against creditors' enforcement actions under Section 105 of the Bankruptcy Code.

8. Entry of a preliminary injunction will not harm the public interest. As stated above, the entry of a preliminary injunction, and the removal of the expense and distraction to the Debtor's officers, will benefit all creditors by better enabling the Debtor to operate its business and propose, and confirm, a plan of reorganization.

9. Plaintiff has no adequate remedy at law.

10. Plaintiff has served the Defendant with notice, electronically or by overnight delivery, of this motion. Plaintiff requests that notice actually given be deemed sufficient, and that the Court hear this motion on shortened notice.

WHEREFORE Plaintiff prays that the Court enter a preliminary injunction against the Defendant to bar it from taking any action to enforce its deficiency judgment against Anam Qadri and Saleem Qadri, pending resolution of this adversary proceeding, and that notice actually given be deemed sufficient.

Respectfully submitted,
1600 Hicks Road LLC

By: /s/ David P. Lloyd
One of his attorneys

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